UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LEGENDARY FIELD EXHIBITIONS, LLC, ET AL., BEBTORS. RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, V. ADV. PROC. NO. 22-05078-cag DUNDON CAPITAL PARTNERS, LLC; THOMAS DUNDON; AND JOHN ZUTTER,	IN RE:	§	
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S		§	CASE NO. 19-50900-CAG-7
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S	LEGENDARY FIELD	§	
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S	EXHIBITIONS, LLC, ET AL.,	§	
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S		§	CHAPTER 7
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S	DEBTORS.	§	
RANDOLPH N. OSHEROW, Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S S S RANDOLPH N. OSHEROW, S Estates of Legendary Field Exhibitions, LLC; S Estates of Legendary Field Exhibitions, LLC; S Ebersol Sports Media Group, Inc.; S PLAINTIFF, S S		§	
Chapter 7 Trustee of the Bankruptcy § Estates of Legendary Field Exhibitions, LLC; § AAF Players, LLC; AAF Properties, LLC; § Ebersol Sports Media Group, Inc.; § LFE 2, LLC; and We Are Realtime, LLC, § PLAINTIFF, §		§	
Chapter 7 Trustee of the Bankruptcy § Estates of Legendary Field Exhibitions, LLC; § AAF Players, LLC; AAF Properties, LLC; § Ebersol Sports Media Group, Inc.; § LFE 2, LLC; and We Are Realtime, LLC, § PLAINTIFF, §		§	
Estates of Legendary Field Exhibitions, LLC; AAF Players, LLC; AAF Properties, LLC; Ebersol Sports Media Group, Inc.; LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, S PLAINTIFF, S S S S S S S S S S S S S	RANDOLPH N. OSHEROW,	§	
AAF Players, LLC; AAF Properties, LLC; § Ebersol Sports Media Group, Inc.; § LFE 2, LLC; and We Are Realtime, LLC, § PLAINTIFF, § §	Chapter 7 Trustee of the Bankruptcy	§	
AAF Players, LLC; AAF Properties, LLC; § Ebersol Sports Media Group, Inc.; § LFE 2, LLC; and We Are Realtime, LLC, § PLAINTIFF, § §	Estates of Legendary Field Exhibitions, LLC	C;§	
Ebersol Sports Media Group, Inc.; \$ LFE 2, LLC; and We Are Realtime, LLC, \$ PLAINTIFF, \$ \$		_	
LFE 2, LLC; and We Are Realtime, LLC, PLAINTIFF, \$ \$ \$	Ebersol Sports Media Group, Inc.;		
PLAINTIFF, § §	LFE 2, LLC; and We Are Realtime, LLC,		
PLAINTIFF, § §		§	
§	PLAINTIFF,	§	
v. \$ ADV. PROC. NO. 22-05078-cag DUNDON CAPITAL PARTNERS, LLC; \$ THOMAS DUNDON; AND \$ JOHN ZUTTER, \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$,	§	
DUNDON CAPITAL PARTNERS, LLC; \$ THOMAS DUNDON; AND \$ JOHN ZUTTER, \$	v.	8	ADV. PROC. NO. 22-05078-cag
DUNDON CAPITAL PARTNERS, LLC; § THOMAS DUNDON; AND § JOHN ZUTTER, § DEFENDANTS		8	
THOMAS DUNDON; AND JOHN ZUTTER, S DEFENDANTS	DUNDON CAPITAL PARTNERS, LLC;	§	
JOHN ZUTTER, \$ \$ DEFENDANTS		§	
DEFENDANTS 8	· · · · · · · · · · · · · · · · · · ·	§	
DEFENDANTS 8	,	8	
DEFENDANIS.	DEFENDANTS.	§	

CHAPTER 7 TRUSTEE'S WITNESS AND EXHIBIT LIST

Plaintiff RANDOLPH N. OSHEROW (the "<u>Trustee</u>"), as the Chapter 7 Trustee of the Bankruptcy Estates of Legendary Field Exhibitions, LLC ("<u>LFE</u>"); AAF Players, LLC ("<u>AAF Players</u>"); AAF Properties, LLC ("<u>AAF Properties</u>"); Ebersol Sports Media Group, Inc. ("<u>ESMG</u>"); LFE 2, LLC ("<u>LFE 2</u>"); and We Are Realtime, LLC ("<u>Realtime</u>") (collectively, "<u>Debtors</u>") files this Witness and Exhibit List for use in connection with the hearing on Chapter 7 Trustee's Motion to Amend Complaint to Conform to Evidence Facts Conclusively Established [ECF No. 249] and Chapter 7 Trustee's Amended Motion to Amend Complaint to Conform to

Evidence Facts Conclusively Established [ECF No. 255] (collectively, the "Motion"), to be held in the above-referenced matter, set for Friday, February 14, 2025, at 10:00 a.m.

WITNESSES

Trustee may call the following witnesses to testify at any hearing on the Motion, whether in person or by affidavit, declaration or proffer:

Ex. No.	Description
1.	Any witnesses called or designated by any other party; and
2.	Any witnesses necessary to rebut or impeach the testimony of any witness called or designated by another party.

Trustee reserves the right to amend and supplement this witness list.

EXHIBITS

Trustee may offer into evidence any one or more of the following exhibits¹ at the hearing on the Motion:

Ex. No.	Description
1.	Trustee's Motion to Amend Complaint to Conform to Evidence Facts Conclusively Established [ECF No. 249]
2.	Chapter 7 Trustee's Amended Motion to Amend Complaint to Conform to Evidence Facts Conclusively Established [ECF No. 255]
3.	Redline of Second Amended Complaint, Exhibit A to Amended Motion to Amend Complaint [ECF No. 255-1]
4.	2019.02.14 Email from A. Kantowitz via DocuSign to J. Zutter, Exhibit B to Amended Motion to Amend Complaint [ECF No. 255-2]
5.	Excerpts from Deposition of Jeffrey James Vanderbilt, Jr. (Nov. 11, 2024), Exhibit C to Amended Motion to Amend Complaint [ECF No. 255-3]

¹ Each exhibit listed includes any attachments or exhibits thereto, unless otherwise noted herein. CHAPTER 7 TRUSTEE'S WITNESS AND EXHIBIT LIST

6.	Proposed Order Granting Chapter 7 Trustee's Amended Motion to Amend Complaint, Exhibit D to Amended Motion to Amend Complaint [ECF No. 255-4]
	Any exhibit identified or offered by any other party.
	Any rebuttal exhibit.
	Any exhibit necessary for impeachment purposes.

RESERVATION OF RIGHTS

The foregoing witness and exhibit list is being submitted based on information reasonably available to Trustee at this time and without waiving any objection as to relevance, materiality, or admissibility of evidence in this litigation. Trustee reserves the right to ask the Court to take judicial notice of pleadings, transcripts, and/or other documents, and to supplement or amend this Witness and Exhibit List at any time before any hearing held on the Motion.

Dated: February 13, 2025 Respectfully submitted,

/s/ Katharine Battaia Clark

Nicole L. Williams (SBN 24041784) Katharine Battaia Clark (SBN 24046712) Thompson Coburn LLP

2100 Ross Avenue, Suite 3200

Dallas, Texas 75201 Phone: (972) 629-7100 Fax: (972) 629-7171

jfarahi@actslaw.com

 $\frac{nwilliams@thompsoncoburn.com}{kclark@thompsoncoburn.com}$

and

Boris Treyzon (CA SBN 18893) Admitted Pro Hac Vice Jonathon Farahi (CA SBN 324316) Admitted Pro Hac Vice Abir Cohen Treyzon Salo, LLP 16001 Ventura Boulevard, Suite 200 Encino, California 91436 Phone: (424) 288-4367 Fax: (424-288-4368 btreyzon@actslaw.com

and

Brian S. Engel (SBN 00789279)
Steve P. Turner (SBN: (20314700)
Barrett Daffin Frappier Turner & Engel, LLP
580 La Ventana Blvd.
Driftwood, Texas 78619
Phone: (512) 687-2503
Fax: (512) 477-0008
brianen@bdfgroup.com

ATTORNEYS FOR PLAINTIFF RANDOLPH N. OSHEROW, CHAPTER 7 TRUSTEE, DEBTORS' ESTATE

CERTIFICATE OF SERVICE

stevet@bdfgroup.com

I hereby certify that, on February 13, 2025, a true and correct copy of the foregoing document was served to the below listed parties via electronic means as listed on the Court's ECF noticing system or by electronic mail.

VIA EMAIL

K&L Gates, LLP Brent D. Hockaday 1717 Main Street, Ste. 2800 Dallas, TX 75201 brent.hockaday@klgates.com

VIA EMAIL

Bell Nunnally & Martin LLP
Jeffrey S. Lowenstein
Beverly A. Whitley
Brent A. Turman
Sydnie A Shimkus
2323 Ross Ave., Ste 1900
Dallas, TX 75201
jlowenstein@bellnunally.com
bwhitley@bellnunnally.com
bturman@bellnunnally.com
sshimkus@bellnunnally.com

/s/ Katharine Battaia Clark

Katharine Battaia Clark